

**BEFORE THE
PHYSICIAN ASSISTANT COMMITTEE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues)

Against:)

ANGELA KATRIN VANDERSLIK)

File No: 1E-2005-171539

For a Physician Assistant)

License)

Respondent.)

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby accepted and adopted as the Decision and Order by the Physician Assistant Committee of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective on April 5, 2006 and the license will only be issued and probation to commence upon completion of any remaining requirements for licensure.

IT IS SO ORDERED April 5, 2006

PHYSICIAN ASSISTANT COMMITTEE


Robert Sachs, P.A., Chairman

BILL LOCKYER, Attorney General
of the State of California
GAIL M. HEPPELL, Supervising
Deputy Attorney General
DANIEL J. TURNER, State Bar No. 79560
Deputy Attorney General
California Department of Justice
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
Telephone: (916) 324-7861
Facsimile: (916) 327-2247

Attorneys for Complainant

BEFORE THE
PHYSICIAN ASSISTANT COMMITTEE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

ANGELA KATRIN VANDERSLIK
2036 West Perez Avenue
Visalia, CA 93291

Respondent.

Case No. 1E-05-171539

OAH No.

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
above-entitled proceedings that the following matters are true:

PARTIES

1. Richard L. Wallinder, Jr. (Complainant) is the Executive Officer of the
Physician Assistant Committee (Committee). He brought this action solely in his official capacity
and is represented in this matter by Bill Lockyer, Attorney General of the State of California, by
Daniel J. Turner, Deputy Attorney General.

2. Respondent Angela Katrin Vanderslik (Respondent) is represented in this
proceeding by attorney R. Michael Scarano, whose address is Foley & Lardner, Attorneys at Law,
11250 El Camino Real, Suite 200, San Diego, CA 92130.

1 3. On or about July 15, 2005, the Committee received an application for a
2 Physician Assistant License from Angela Katrin Vanderslik. On or about August 30, 2005, the
3 Committee denied the application.

4 JURISDICTION

5 4. Statement of Issues No. 1E-05-171539 was filed before the Committee for the
6 Medical Board of California, Department of Consumer Affairs, and is currently pending against
7 Respondent. The Statement of Issues and all other statutorily required documents were properly
8 served on Respondent on February 3, 2006. Respondent timely filed her Notice of Defense
9 contesting the Statement of Issues. A copy of Statement of Issues No. 1E-05-171539 is attached
10 hereto as Exhibit A and incorporated herein by reference.

11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, fully discussed with counsel, and understands
13 the charges and allegations in Statement of Issues No. 1E-05-171539. Respondent has also carefully
14 read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and
15 Disciplinary Order.

16 6. Respondent is fully aware of her legal rights in this matter, including the right
17 to a hearing on the charges and allegations in the Statement of Issues; the right to be represented by
18 counsel at her own expense; the right to confront and cross-examine the witnesses against her; the
19 right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
20 compel the attendance of witnesses and the production of documents; the right to reconsideration
21 and court review of an adverse decision; and all other rights accorded by the California
22 Administrative Procedure Act and other applicable laws.

23 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each
24 and every right set forth above.

25 CULPABILITY

26 8. Respondent admits the truth of each and every charge and allegation in
27 Statement of Issues No. 1E-05-171539.

28 ///

1 9. Respondent agrees that her application for a Physician Assistant License is
2 subject to denial and she agrees to be bound by the Committee's imposition of discipline as set forth
3 in the Disciplinary Order below.

4 RESERVATION

5 10. The admissions made by Respondent herein are only for the purposes of this
6 proceeding, or any other proceedings in which the Physician Assistant Committee, Medical Board
7 of California, or other professional licensing agency is involved, and shall not be admissible in any
8 other criminal or civil proceeding.

9 CONTINGENCY

10 11. This stipulation shall be subject to approval by the Physician Assistant
11 Committee. Respondent understands and agrees that counsel for Complainant and the staff of the
12 Physician Assistant Committee may communicate directly with the Committee regarding this
13 stipulation and settlement, without notice to or participation by Respondent or her counsel. By
14 signing this stipulation, Respondent understands and agrees that she may not withdraw her
15 agreement or seek to rescind the stipulation prior to the time the Committee considers and acts upon
16 it. If the Committee fails to adopt this stipulation as its Decision and Order, the Stipulated
17 Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall
18 be inadmissible in any legal action between the parties, and the Committee shall not be disqualified
19 from further action by having considered this matter.

20 12. The parties understand and agree that facsimile copies of this Stipulated
21 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force
22 and effect as the originals.

23 13. In consideration of the foregoing admissions and stipulations, the parties agree
24 that the Committee may, without further notice or formal proceeding, issue and enter the following
25 Disciplinary Order:

26 ///

27 ///

28 ///

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Respondent Angela Katrin Vanderslik's Physician Assistant License shall be issued and automatically revoked. The revocation will be stayed and Respondent placed on three (3) years probation on the following terms and conditions.

1. **ETHICS COURSE** Within 90 days of the effective date of this decision, Respondent shall submit to the committee or its designee for its prior approval a course in ethics, which Respondent shall successfully complete during the first year of probation. Respondent shall participate in an ethics course at her own expense.

2. **MONITORING/SUPERVISION** Within 30 days of the effective date of this decision, Respondent shall submit to the committee or its designee for its prior approval a plan of practice in which Respondent's practice shall be monitored by a supervising physician responsible for patients treated by the physician assistant.

If the supervising physician/monitor resigns or is no longer available, Respondent shall, within 15 days, move to have a new supervising physician/monitor appointed, through nomination by Respondent and approval by the Committee.

Respondent shall not practice as a physician assistant until the supervising physician is approved by the Committee.

3. **ON-SITE SUPERVISION** Respondent shall have at all times on-site supervision by an approved supervising physician.

4. **NOTIFICATION OF EMPLOYER AND SUPERVISING PHYSICIAN**
Respondent shall notify her current and any subsequent employer and supervising physician(s) of her discipline and provide a copy of the Stipulation, Decision, and Order to each such employer and supervising physician(s) during her period of probation, at the onset of that employment. Respondent shall ensure that each employer informs the Physician Assistant Committee, or its agent, in writing within thirty (30) days, verifying that the employer and supervising physician(s) have been informed of this Stipulation and Order.

///

///

1 5. OBEY ALL LAWS Respondent shall obey all federal, state, and local laws,
2 and all rules governing the practice of medicine as a physician assistant in California, and remain
3 in full compliance with any court ordered criminal probation, payments, and other orders.

4 6. QUARTERLY REPORTS Respondent shall submit quarterly declarations
5 under penalty of perjury on forms provided by the committee or its designee, stating whether there
6 has been compliance with all the conditions of probation.

7 7. PROBATION SURVEILLANCE PROGRAM COMPLIANCE Respondent
8 shall comply with the Committee's probation surveillance program. Respondent shall, at all times,
9 keep the Committee informed of her addresses of business and residence which shall both serve as
10 addresses of record. Changes of such addresses shall be immediately communicated in writing to
11 the Committee. Under no circumstances shall a post office box serve as an address of record, except
12 as allowed by California Code of Regulations 1399.523.

13 Respondent shall, at all times, maintain a current and renewed physician assistant
14 license.

15 Respondent shall also immediately inform the Committee, in writing, of any travel
16 to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more than
17 thirty (30) days.

18 8. PROBATION MONITORING COSTS Respondent shall pay the costs
19 associated with probation monitoring each and every year of probation, as designated by the
20 Committee and which may be adjusted on an annual basis. Such costs shall be payable to the
21 Physician Assistant Committee and delivered to the Committee or its designee no later than January
22 31 of each calendar year. Failure to pay costs within 30 calendar days of the due date is a violation
23 of probation.

24 9. INTERVIEW WITH MEDICAL CONSULTANT Respondent shall appear
25 in person for interviews with the Committee's medical or expert physician assistant consultant upon
26 request at various intervals and with reasonable notice.

27 10. TOLLING FOR OUT-OF-STATE PRACTICE OR RESIDENCE The period
28 of probation shall not run during the time Respondent is residing or practicing outside the

1 jurisdiction of California. If, during probation, Respondent moves out of the jurisdiction of
2 California to reside or practice elsewhere, including federal facilities, Respondent is required to
3 immediately notify the Committee in writing of the date of departure and the date of return, if any.

4 11. INITIAL PROBATION INTERVIEW Respondent shall appear in person for
5 an initial interview with a designee of the Physician Assistant Committee within 90 days of the final
6 decision. Respondent shall subject herself to an initial interview at a time and place determined by
7 the Committee or its designee.

8 12. UNANNOUNCED CLINICAL SITE VISIT At least once per calendar year,
9 or more frequently as determined by the Committee or its designee, unannounced clinical site visits
10 shall be made by the Committee or its designee to ensure that Respondent is complying with all
11 terms and conditions of probation.

12 13. COMPLETION OF PROBATION Upon successful completion of probation
13 as determined by the Committee's executive officer, Respondent's license will be fully restored.

14 14. VIOLATION OF PROBATION If Respondent violates probation in any
15 respect, the Committee, after giving Respondent notice and the opportunity to be heard, may revoke
16 probation and carry out the disciplinary order that was stayed. If an accusation or petition to revoke
17 probation is filed against Respondent during probation, the Committee shall have continuing
18 jurisdiction until the matter is final, and the period of probation shall be extended until the matter
19 is final.

20 15. VOLUNTARY LICENSE SURRENDER Following the effective date of this
21 probation, if Respondent ceases practicing due to retirement, health reasons, or is otherwise unable
22 to satisfy the terms and conditions of probation, Respondent may voluntarily tender her license to
23 the Committee. The Committee reserves the right to evaluate Respondent's request and to exercise
24 its discretion whether to grant the request, or to take any other action deemed appropriate and
25 reasonable under the circumstances. Upon formal acceptance of the tendered license, Respondent
26 will no longer be subject to the terms and conditions of probation.

27 ///

28 ///

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, R. Michael Scarano. I understand the stipulation and the effect it will have on my Physician Assistant License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Physician Assistant Committee, Medical Board of California.

DATED: 02/22/06

ANGELA KATRIN VANDERSLIK
Respondent

I have read and fully discussed with Respondent Angela Katrin Vanderslik the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 2/22/06

R. MICHAEL SCARANO
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Physician Assistant Committee, Medical Board of California of the Department of Consumer Affairs.

DATED: 3-8-2006

BILL LOCKYER, Attorney General
of the State of California



DANIEL J. TURNER
Deputy Attorney General

Attorneys for Complainant

Exhibit A
Statement of Issues No. 1E-05-171539

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO February 7, 2006
BY Cheryl E. [Signature] ANALYST

1 BILL LOCKYER, Attorney General
of the State of California
2 GAIL M. HEPPELL, Supervising
Deputy Attorney General, State Bar No. 84134
3 DANIEL J. TURNER, State Bar No. 79560
Deputy Attorney General
4 California Department of Justice
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-7861
Facsimile: (916) 327-2247

7 Attorneys for Complainant

9
10 **BEFORE THE**
PHYSICIAN ASSISTANT COMMITTEE
MEDICAL BOARD OF CALIFORNIA
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA
12

13 In the Matter of the Statement of Issues Against:

Case No. 1E-05-171539

14 ANGELA KATRIN VANDERSLIK
2036 W. Perez Avenue
15 Visalia, CA 93291

STATEMENT OF ISSUES

16 Respondent.
17

18 Complainant alleges:

19 **PARTIES**

20 1. Richard L. Wallinder, Jr. (Complainant) brings this Statement of Issues solely
21 in his official capacity as the Executive Officer of the Physician Assistant Committee, Department
22 of Consumer Affairs.

23 2. On or about July 15, 2005, the Physician Assistant Committee, Department
24 of Consumer Affairs received an application for a Physician Assistant License from Angela Katrin
25 Vanderslik (Respondent). On or about June 24, 2005, Angela Katrin Vanderslik certified under
26 penalty of perjury to the truthfulness of all statements, answers, and representations in the
27 application. The Committee denied the application on August 30, 2005.

28 ///

JURISDICTION

3. This Statement of Issues is brought before the Physician Assistant Committee (Committee) for the Medical Board of California, Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 3527 of the Code states:

(a) The committee may order the denial of an application for, or the issuance subject to terms and conditions of, or the suspension or revocation of, or the imposition of probationary conditions upon a physician assistant license after a hearing as required in Section 3528 for unprofessional conduct which includes, but is not limited to, a violation of this chapter, a violation of the Medical Practice Act, or a violation of the regulations adopted by the committee or the board.

(b) The committee may order the denial of an application for, or the suspension or revocation of, or the imposition of probationary conditions upon, an approved program after a hearing as required in Section 3528 for a violation of this chapter or the regulations adopted pursuant thereto.

(c) The board may order the denial of an application for, or the issuance subject to terms and conditions of, or the suspension or revocation of, or the imposition of probationary conditions upon, an approval to supervise a physician assistant, after a hearing as required in Section 3528, for unprofessional conduct, which includes, but is not limited to, a violation of this chapter, a violation of the Medical Practice Act, or a violation of the regulations adopted by the committee or the board.

(d) Notwithstanding subdivision (c), the Division of Medical Quality of the Medical Board of California, in conjunction with an action it has commenced against a physician and surgeon, may, in its own discretion and without the concurrence of the board, order the suspension or revocation of,

1 or the imposition of probationary conditions upon, an approval to supervise
2 a physician assistant, after a hearing as required in Section 3528, for
3 unprofessional conduct, which includes, but is not limited to, a violation of
4 this chapter, a violation of the Medical Practice Act, or a violation of the
5 regulations adopted by the committee or the board.

6 (e) The committee may order the denial of an application for, or the
7 suspension or revocation of, or the imposition of probationary conditions
8 upon, a physician assistant license, after a hearing as required in Section 3528
9 for unprofessional conduct which includes, except for good cause, the
10 knowing failure of a licensee to protect patients by failing to follow infection
11 control guidelines of the committee, thereby risking transmission of
12 blood-borne infectious diseases from licensee to patient, from patient to
13 patient, and from patient to licensee. In administering this subdivision, the
14 committee shall consider referencing the standards, regulations, and
15 guidelines of the State Department of Health Services developed pursuant to
16 Section 1250.11 of the Health and Safety Code and the standards, regulations,
17 and guidelines pursuant to the California Occupational Safety and Health Act
18 of 1973 (Part 1 (commencing with Section 6300) of Division 5 of the Labor
19 Code) for preventing the transmission of HIV, Hepatitis B, and other
20 blood-borne pathogens in health care settings. As necessary, the committee
21 shall consult with the California Medical Board, the Board of Podiatric
22 Medicine, the Board of Dental Examiners, the Board of Registered Nursing,
23 and the Board of Vocational Nurse and Psychiatric Technician Examiners, to
24 encourage appropriate consistency in the implementation of this subdivision.

25 The committee shall seek to ensure that licensees are informed of the
26 responsibility of licensees and others to follow infection control guidelines,
27 and of the most recent scientifically recognized safeguards for minimizing the
28 risk of transmission of blood-borne infectious diseases.

1 5. Section 480 of the Code states:

2 (a) A board may deny a license regulated by this code on the grounds that
3 the applicant has one of the following:

4 (1) Been convicted of a crime. A conviction within the meaning
5 of this section means a plea or verdict of guilty or a conviction following a
6 plea of nolo contendere. Any action which a board is permitted to take
7 following the establishment of a conviction may be taken when the time for
8 appeal has elapsed, or the judgment of conviction has been affirmed on
9 appeal, or when an order granting probation is made suspending the
10 imposition of sentence, irrespective of a subsequent order under the
11 provisions of Section 1203.4 of the Penal Code.

12 (2) Done any act involving dishonesty, fraud or deceit with the
13 intent to substantially benefit himself or another, or substantially injure
14 another; or

15 (3) Done any act which if done by a licentiate of the business or
16 profession in question, would be grounds for suspension or revocation of
17 license.

18 The board may deny a license pursuant to this subdivision only if the
19 crime or act is substantially related to the qualifications, functions or duties
20 of the business or profession for which application is made.

21 (b) Notwithstanding any other provision of this code, no person shall be
22 denied a license solely on the basis that he has been convicted of a felony if
23 he has obtained a certificate of rehabilitation under Section 4852.01 and
24 following of the Penal Code or that he has been convicted of a misdemeanor
25 if he has met all applicable requirements of the criteria of rehabilitation
26 developed by the board to evaluate the rehabilitation of a person when
27 considering the denial of a license under subdivision (a) of Section 482.

28 ///

1 (c) A board may deny a license regulated by this code on the ground that
2 the applicant knowingly made a false statement of fact required to be revealed
3 in the application for such license.

4 **FIRST CAUSE FOR DENIAL OF APPLICATION**

(Dishonesty)
[Bus. & Prof. Code § 480 (a)(2)]

6 6. Respondent's application is subject to denial under section 480 (a)(2) of the
7 Code for being guilty of dishonesty while licensed by the Emergency Medical Services Authority
8 (EMS) as an Emergency Medical Technician- Paramedic. The circumstances are as follows:

9 7. On or about March 7, 2003, Daniel Smiley, Chief Deputy Director,
10 Emergency Medical Services Authority, State of California, filed an accusation against Respondent,
11 Case No. 01-014, charging her with, in part, dishonesty and gross negligence while she worked under
12 the license of an emergency medical technician - paramedic.

13 8. A Settlement Agreement between the EMS Authority and Respondent, in case
14 No. 01-014, was signed by the parties in May 2003, and adopted by the EMS Authority as a decision
15 on May 28, 2003. In the Settlement Agreement and decision, Respondent agreed to the following
16 discipline, in part: revocation, revocation stayed, three years probation, suspension of her license
17 for 90 days, educational course work in the proper use of Combitubes and insertions of nasal
18 intubation tubes, and completion of an ethics course.

19 9. In Respondent's application for licensure as a physician assistant dated
20 June 24, 2005, Respondent answered yes to question 15, which asked, in pertinent part: Have you
21 ever been charged with, or been found to have committed, unprofessional conduct, professional
22 incompetence, gross negligence of repeated negligent acts or malpractice by any licensing board,
23 other agency, or hospital or has any disciplinary action ever been filed or taken regarding any healing
24 arts license which you now hold or have ever held, or is any such actions pending? In giving details
25 to her above answer, Respondent wrote, California, 03/00/2001, Improper airway usage and ethics
26 (poor), Probation period, 90 day suspension, ethics course, airway course, and "(See Attached)." The
27 attachment to Respondent's application contained a copy of a letter to Respondent from the Medical
28 Emergency Authority dated May 30, 2003, enclosing a copy of the signed Settlement Agreement and

1 informing her, among other terms of the Agreement, that her license was suspended for 90 days from
2 June 27 to September 24, 2003. Respondent also wrote a statement for the Physician Assistant
3 Committee, explaining that her EMT-Paramedic license had been suspended and that she had
4 completed her suspension, and the ethics course and over one year of probation but that she chose
5 not to renew her license because at the time she was a full-time physician assistant student.

6 10. The details of Respondent's misconduct at the time she signed the Settlement
7 Agreement with the EMS Authority are as follows:

8 a. On or about March 1, 2001, while employed as a paramedic,
9 Respondent and her Emergency Medical Technician (EMT) partner answered
10 a call involving the drowning of a 14 month old child. On arrival at the
11 scene, Respondent was informed that the child had been found floating face
12 down in a swimming pool. The child was breathing when Respondent
13 arrived. However, once in route, the child began to seize. After
14 Respondent's partner's unsuccessful attempts at placing an oropharyngeal
15 airway in the patient, Respondent and her partner bag-valved the child and
16 Respondent attempted nasotracheal intubation approximately 15 to 25 times.
17 Respondent falsely documented that only two nasal intubations were made.

18 b. After several unsuccessful attempts to intubate the patient,
19 Respondent directed an EMT-I firefighter who was assisting her in the
20 ambulance to place a small adult Combitube¹ on the patient. The firefighter
21 objected to Respondent, saying that the boy was not old enough. Respondent
22 stated, "Hurry, we're getting close to the hospital," or words to that effect.
23 Two attempts at placing the Combitube in the patient's mouth were
24 unsuccessful because the patient was clenching his teeth. At the hospital,
25 Respondent completed her written report (PCR) on the matter but failed to
26

27 1. The Esophageal Tracheal Combitube is an airway device designed for emergency or
28 difficult intubation, providing sufficient ventilation whether the airway is placed into the
esophagus or into the trachea.

1 record the attempts to use the Combitube (an event required to be recorded)
2 to benefit herself or another.

3 c. On or about March 1, 2001, while employed as a paramedic,
4 Respondent arrived at the scene of a traffic collision in the Bakersfield area.
5 A fire response crew was on-scene and spinal precautions (cervical collars)
6 had been placed on individuals involved in the accident. Respondent
7 assessed the accident victims and began removing the spinal precautions.
8 Respondent was informed that the patients did not wish to be transported by
9 ambulance to the emergency department. Respondent cleared her vehicle
10 from the scene and falsely advised dispatch that the ambulance had been
11 canceled en route. Respondent failed to complete a mandatory written report
12 for this particular call to benefit herself or another.

13 d. On or about February 24, 2001, Respondent, while employed as a
14 paramedic, arrived at Bakersfield Dialysis where a 65 year old man
15 complained of cardiac problems. During this call, Respondent was
16 accompanied by a 15 year old explorer scout who was in the ambulance as a
17 "ride along." Respondent allowed, encouraged, and instructed the explorer
18 scout to perform a glucose test on the patient by lancing the patient's finger
19 (to obtain a blood sample which is used to test the patient's blood sugar
20 level) which the explorer scout performed. The explorer scout was not
21 authorized to perform the procedure.

22 e. During an investigation of this call by the EMS Authority,
23 Respondent falsely told the investigator that she did not allow or encourage
24 the explorer scout to perform the above procedure.

25 11. Respondent's above conduct in providing false documentation, failing to
26 record required information to benefit herself or another, and giving false information to an
27 investigator, constitutes dishonesty and grounds for denial of her application within the meaning of
28 section 480 (a)(2) of the Code.

(An act which if done by a licentiate would be grounds for suspension or revocation)
[Bus. & Prof. Code § 480 (a)(3)]

13. Complainant incorporates paragraphs 7 through 10, above, as if fully set forth at this point.

PRAYER

1. Denying the application of Angela Katrin Vanderslik for a physician assistant license;

DATED: February 7, 2006

03578160-SA2005302222